

HUMAN SERVICES DEPARTMENT[441]**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 92, "IowaCare," Iowa Administrative Code.

This amendment reflects the annual update in IowaCare premiums as required by Iowa Code section 249J.8. Premiums are recalculated annually based on changes in federal poverty income guidelines published each year by the U.S. Department of Health and Human Services. By law, the monthly premium shall not exceed one-twelfth of 5 percent of the member's annual family income. Members whose family income is less than 100 percent of the federal poverty level pay no premium.

These recalculations have resulted in a premium increase of \$2, \$3 or \$4 per month. The new premium amounts will be applied to new applications and renewal applications. A member's premium does not change during the member's approved enrollment period. Because the income thresholds for each level also change due to the new poverty income guidelines, the premium may be moved to a lower level at renewal if the member's income remains unchanged.

This amendment does not provide for waivers in specified situations because all households should be subject to the same sliding-scale premiums. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

The Council on Human Services adopted this amendment on March 11, 2009.

In compliance with Iowa Code section 17A.4(3), the Department finds that notice and public participation are unnecessary because this amendment simply reflects the implementation of an existing methodology that is already adopted in statute and rules.

The Department also finds that this amendment confers a benefit by avoiding confusion about the application of the rule. The amounts cited in 441—paragraph 92.7(1)"a" of the Iowa Administrative Code conform to the updated amounts that took effect April 1, 2009, based on paragraph 92.7(1)"b." Therefore, this amendment is filed pursuant to Iowa Code section 17A.5(2)"b"(2), and the normal effective date of the amendment is waived.

This amendment became effective April 1, 2009.

This amendment is intended to implement Iowa Code section 249J.8.

The following amendment is adopted.

Amend paragraph **92.7(1)"a"** as follows:

a. The monthly premium amount is based on the household's countable monthly income as a percentage of the federal poverty level for a household of that size. Effective April 1, ~~2008~~ 2009, premium amounts based on this percentage are as follows:

When the household's income is at or below: Each member's premium amount is:

100% of federal poverty level	\$ 0
110% of federal poverty level	\$43 <u>\$45</u>
120% of federal poverty level	\$47 <u>\$49</u>
130% of federal poverty level	\$52 <u>\$54</u>
140% of federal poverty level	\$56 <u>\$58</u>
150% of federal poverty level	\$60 <u>\$63</u>
160% of federal poverty level	\$64 <u>\$67</u>
170% of federal poverty level	\$69 <u>\$72</u>

When the household's income is at or below:	Each member's premium amount is:
180% of federal poverty level	\$73 <u>\$76</u>
190% of federal poverty level	\$77 <u>\$81</u>
200% of federal poverty level	\$82 <u>\$85</u>

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 4/8/09.